

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ADONIS JONES,

Plaintiff,

v.

WARDEN TIM HAINES *et al.*,

Defendants.

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ORDER

14-cv-642-wmc

*Pro se* plaintiff Adonis Jones was granted leave to proceed on claims for failure to protect and excessive force against several officials employed by the Wisconsin Department of Corrections at the Wisconsin Secure Program Facility. In September of 2016, at plaintiff's request, this court recruited pro bono counsel to represent him. However, on December 28, 2017, because Jones was unresponsive to his attorney's repeated attempts to communicate with him, the court granted his counsel's motion to withdraw. In so doing, the court: (1) explained to Jones that it was his obligation to update the court with his current address *and* (2) warned Jones that failure to do so would subject this lawsuit to dismissal for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Dkt. #41.) Despite this, Jones has still not contacted the court with updated information. Moreover, defendants have followed up with three motions requesting dismissal of this action for failure to prosecute. (Dkts. ##42, 46, 48.) Jones has neither opposed defendants' motions, nor sought an extension of time to respond to them. Accordingly, these motions will now be granted.

As grounds, defendants point to Jones's failure to comply with discovery requests, respond to attempts to confer about discovery requests and motions, appear for a noticed deposition, provide his current address, or respond to defendants' motions. Of note, defendants also represent that on January 22, 2018, defendants' counsel received an envelope

that returned one of their meet and confer letters. On the outside of the envelope was documentation indicating that plaintiff refused the mail. In light of Jones's refusal to engage with defendants or heed the court's warning, it is apparent that he has abandoned this lawsuit and this action should be dismissed with prejudice for failure to prosecute.

#### ORDER

IT IS ORDERED that defendants' motions to compel and dismiss (dkts. ##42, 46, 48) are GRANTED. Pursuant to Federal Rule of Civil Procedure 41(b), this case is DISMISSED with prejudice for failure to prosecute. The clerk of court is directed to enter judgment in defendants' favor and close this matter.

Entered this 5th day of April, 2018.

BY THE COURT:

/s/

WILLIAM M. CONLEY  
District Judge